

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLANDBILL NO. 93-75Introduced by Council Members Pierno and HeseltonLegislative Day No. 93-28Date October 19, 1993

AN ACT to add the definitions of applicant, community input meeting, concept plan, department, director, party, preliminary plan, revised preliminary plan, and major subdivision, to Section II, Definitions; to repeal and reenact, with amendments, Section 3.01, Purpose, of Section III, Subdivision Control; to repeal and reenact, with amendments, Section 5.01, Submission Procedure, and Section 5.03, Approval Procedure; to add Sections 5.04, Process for Industrial or Business Subdivisions within the County's Fast Track Program, Section 5.05, Approval Procedure for Major Subdivisions, Business and Industrial Subdivisions, and Multi-Family Housing Uses, Section 5.06, Revised Preliminary Plan Review, Section 5.07, Planning Advisory Board Review, and Section 5.08, Development Advisory Committee Review, to Section V, The Preliminary Subdivision Plan and/or Site Plan; all of the Subdivision Regulations for Harford County, Maryland; to repeal and reenact, with amendments, Section 9-115, Powers and Duties, of Article XIX, Planning Advisory Board, of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies, of the Harford County Code, as amended; to define certain terms; to describe the purposes of the subdivision regulations; to establish certain requirements for the subdivision and development of land; to establish certain exemptions to these requirements; to require certain County Boards and Committees to

By the Council, October 19, 1993Introduced, read first time, ordered posted and public hearing scheduled
on: November 16, 1993
at: 6:00 p.m.By Order: James D. Vannoy, Acting Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on November 16, 1993, and concluded on, November 16, 1993

James D. Vannoy
Acting Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 93-75

Introduced by Council Members Pierno and Heselton

Legislative Day No. 93-28 Date October 19, 1993

review and comment on certain development plans; to add to the membership of a certain County board; to establish certain procedures and time requirements for review and approval of certain development plans; and generally relating to the County subdivision approval process for the subdivision and development of land.

By the Council, _____
Introduced, read first time, ordered posted and public hearing scheduled
on: _____
at: _____
By Order: _____, Acting Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on, _____

Acting Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 Section 1. Be It Enacted By The County Council of Harford County,
2 Maryland, That the definitions of applicant, community input
3 meeting, concept plan, department, director, party, preliminary
4 plan, revised preliminary plan, and major subdivision be, and they
5 are hereby, added to Section II, Definitions, that Section 3.01,
6 Purpose, of Section III, Subdivision Control be, and it is hereby,
7 repealed and reenacted with amendments, that Section 5.01,
8 Submission Procedure, be, and it is hereby, repealed and reenacted,
9 with amendments, that Section 5.03, Approval Procedure be, and it
10 is hereby, repealed and reenacted, with amendments, that Section
11 5.04, Process for Business or Industrial Subdivisions Within the
12 County's Fast Track Program, Section 5.05, Approval Procedure for
13 Major Subdivisions, Business and Industrial Subdivisions, and
14 Multi-Family Housing Uses, Section 5.06, Revised Preliminary Plan
15 Review, Section 5.07, Planning Advisory Board Review, and Section
16 5.08, Development Advisory Committee Review be, and they are
17 hereby, added to Section V, the Preliminary Subdivision Plan and/or
18 Site Plan, all of the Subdivision Regulations for Harford County,
19 Maryland, to read as follows:

20 Subdivision Regulations for Harford County, Maryland.

21 Section II. Definitions.

22 The following definitions represent the meaning of terms as
23 used in these regulations.

24 APPLICANT. AN OWNER OR CONTRACT PURCHASER REQUESTING COUNTY
25 APPROVAL FOR DEVELOPMENT OF LAND, OR THE LEGAL REPRESENTATIVE OF
26 AN OWNER OR CONTRACT PURCHASER REQUESTING COUNTY APPROVAL FOR
27 DEVELOPMENT OF LAND.

1 COMMUNITY INPUT MEETING. AN OPEN MEETING AMONG
2 REPRESENTATIVES OF THE COUNTY, THE APPLICANT, OWNERS OF ADJOINING
3 PROPERTY, AND REPRESENTATIVES OF COMMUNITY ASSOCIATIONS OR UMBRELLA
4 GROUPS FOR THE PURPOSE OF PRESENTING AND DISCUSSING A CONCEPT OR
5 PRELIMINARY PLAN.

6 CONCEPT PLAN. A SCHEMATIC PLAN THAT OUTLINES THE GENERAL
7 FEATURES OF A PROPOSED DEVELOPMENT AND MAY BE USED AS THE BASIS FOR
8 A COMMUNITY INPUT MEETING.

9 DEPARTMENT. THE DEPARTMENT OF PLANNING AND ZONING.

10 DIRECTOR. THE DIRECTOR OF PLANNING.

11 PARTY. ANY OF THE FOLLOWING:

- 12 a. THE APPLICANT;
13 b. AN OWNER OF PROPERTY ADJOINING A PROPERTY THAT IS
14 THE SUBJECT OF A CONCEPT, SITE, OR PRELIMINARY PLAN;
15 c. A REPRESENTATIVE OF THE COUNTY; AND
16 d. A COMMUNITY ASSOCIATION OR UMBRELLA GROUP, IF THE
17 PROPERTY THAT IS THE SUBJECT OF A CONCEPT, SITE, OR PRELIMINARY
18 PLAN IS:

19 1. LOCATED WITHIN THE GEOGRAPHIC LIMITS OF THE
20 ASSOCIATION, AS DETERMINED BY THE FIRST OF THE FOLLOWING CRITERIA
21 FOUND APPLICABLE:

22 i. IF THE ASSOCIATION IS INCORPORATED, ANY
23 GEOGRAPHIC DESCRIPTION CONTAINED IN THE ASSOCIATION'S CORPORATE
24 ARTICLES, BY-LAWS, CHARTER, OR SIMILAR DOCUMENT;

25 ii. IF THE ASSOCIATION IS NOT INCORPORATED,
26 BY ANY METES AND BOUNDS DESCRIPTION FOR THE ASSOCIATION CONTAINED

1 IN ANY PLAT, OR SIMILAR DOCUMENT ON FILE AT LAND RECORDS OFFICE OF
2 THE COUNTY, OR AT A COUNTY GOVERNMENTAL AGENCY OR DEPARTMENT; OR

3 iii. IF NO SUCH DESCRIPTION EXISTS, BY ANY
4 STREET, ROAD, OR THOROUGHFARE DESCRIPTION FOR THE ASSOCIATION
5 CONTAINED IN ANY PLAT OR SIMILAR DOCUMENT ON FILE IN THE LAND
6 RECORDS OFFICE OF THE COUNTY OR AT A COUNTY GOVERNMENTAL AGENCY OR
7 DEPARTMENT.

8 PRELIMINARY PLAN. A WRITTEN AND GRAPHIC REPRESENTATION OF A
9 PROPOSED DEVELOPMENT PREPARED IN COMPLIANCE WITH SECTION 5.02 OF
10 THESE REGULATIONS.

11 PRELIMINARY PLAN, REVISED. A PRELIMINARY PLAN SUBMITTED TO
12 THE DEPARTMENT OF PLANNING AND ZONING BY AN APPLICANT AFTER THE
13 APPLICANT HAS ATTENDED THE COMMUNITY INPUT MEETING. THE REVISED
14 PLAN MAY INCORPORATE CHANGES PROPOSED AT THE COMMUNITY INPUT
15 MEETING.

16 SUBDIVISION, MAJOR. ANY DIVISION OF LAND THAT CREATES 5 OR
17 MORE LOTS.

18 Section III. Subdivision Control.

19 3.01 PURPOSE. [The purpose of this ordinance is to establish
20 procedures and standards for the development and subdivision of
21 land within Harford County. It is further designed to provide for
22 orderly growth and development of the County for the coordination
23 of streets and highways within proposed subdivisions with existing
24 or planned streets and highways and with other public facilities,
25 for the dedication or reservation of recreation and other public
26 use areas serving residents of the immediate neighborhood within

1 the subdivision and of rights-of-way or easements for street and
2 utility purposes; and for the distribution of population and
3 traffic in a manner that will avoid congestion and over-crowding
4 and will create conditions compatible with protection of the public
5 health, safety and the general welfare, water quality, and areas
6 of significant special natural features. This ordinance is
7 designed to facilitate adequate provision for water, sewerage,
8 parks, schools, and playgrounds, and also to facilitate the further
9 re-subdivision of larger tracts into smaller parcels of land.]

10 a. THESE REGULATIONS ARE INTENDED TO PROMOTE AND PROTECT THE
11 PUBLIC HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF THE COUNTY
12 AND TO ENSURE PROVISION OF PUBLIC FACILITIES AND SERVICES TO THE
13 CITIZENS OF THE COUNTY THROUGH THE FOLLOWING:

14 (1) PROTECTION OF THE VIABILITY OF THE COUNTY'S EXISTING
15 SUBDIVISIONS BY ENSURING THAT NEW DEVELOPMENT AND REDEVELOPMENT IS
16 COMPATIBLE WITH THE NEIGHBORHOOD AND MINIMIZES ADVERSE
17 ENVIRONMENTAL, TRAFFIC, AND ECONOMIC IMPACTS ON THE SURROUNDING
18 COMMUNITY;

19 (2) IMPROVEMENT OF ACCESS BETWEEN SUBDIVISIONS TO
20 ENHANCE CIRCULATION OF MOTOR VEHICLES, BICYCLES AND PEDESTRIANS
21 INCLUDING APPROPRIATENESS OF PROPOSED LOCATIONS AND DESIGN OF
22 STREETS, FOOT PATHS AND TRANSIT FACILITIES TO THEIR ANTICIPATED
23 FUNCTIONS AND TO EXISTING FACILITIES;

24 (3) PROVISION FOR WATER SUPPLY, SEWERAGE, STORM WATER
25 MANAGEMENT AND OTHER NEEDED IMPROVEMENTS;

1 (4) PROVISION FOR ADEQUATE COMMUNITY SERVICES, INCLUDING
2 SCHOOLS, PARKS AND OTHER OPEN SPACES, RECREATION AREAS AND
3 FACILITIES;

4 (5) PROTECTION OF FLOODPLAINS, STEEP SLOPES, WATERSHEDS,
5 THE CHESAPEAKE BAY CRITICAL AREA OVERLAY DISTRICT, WETLANDS,
6 VEGETATION, AND OTHER NATURAL FEATURES;

7 (6) PRESERVATION OF AGRICULTURAL LANDS;

8 (7) PRESERVATION AND PROTECTION OF EXISTING BUSINESS
9 AND INDUSTRY AND PROVISION OF A SYSTEM OF REGULATORY CONTROLS ON
10 DEVELOPMENT THAT WILL FOSTER THE GROWTH OF BUSINESS, EMPLOYMENT AND
11 THE ECONOMIC TAX BASE OF THE COUNTY; AND

12 (8) PROMOTION OF GUIDELINES, STANDARDS OF DESIGN AND
13 PROCEDURES FOR DEVELOPMENT, TO ENSURE THE ORDERLY AND BENEFICIAL
14 DESIGN AND USE OF LAND AND TO ENSURE THAT THE SAME STANDARDS ARE
15 APPLIED TO ALL APPLICANTS AND DEVELOPMENTS.

16 Section V. The Preliminary Subdivision Plan and/or Site Plan.

17 5.01 Submission Procedure. The preliminary plan and/or site plan
18 shall be submitted to the Department [of Planning and Zoning] for
19 all proposed subdivisions. The preliminary plan and/or site plan
20 shall be complete and shall show the information required in
21 Section 5.02.

22 5.03 Approval Procedure.

23 [a. The Development Advisory Committee (DAC) is established
24 to advise the Director of Planning and Zoning regarding major
25 subdivisions and other large-scale developments. Representatives
26

1 from County and state agencies shall be members of the Development
2 Advisory Committee. Membership shall include, but not be limited
3 to:

- 4 1. Department of Planning and Zoning.
- 5 2. Department of Public Works.
- 6 3. Health Department.
- 7 4. Department of Parks and Recreation.
- 8 5. Soil Conservation District.
- 9 6. Maryland Forest, Park and Wildlife Service.
- 10 7. Board of Education.
- 11 8. State Highway Administration.
- 12 9. Fire and Ambulance Chiefs Association.
- 13 10. Public Utility companies.

14 The Development Advisory Committee shall adopt by-laws to
15 facilitate the review process. Meetings of the Development
16 Advisory Committee shall be open to the general public.

17 b. Preliminary plans for residential subdivisions of more
18 than five (5) lots and commercial/industrial subdivisions, and site
19 plans for non-residential and multi-family housing uses shall be
20 distributed to the members of the development advisory committee
21 for review. Comments regarding the plans shall be provided to the
22 Department of Planning and Zoning in writing and discussed at the
23 Development Advisory Committee meeting.]

24 [c.] a. EXCEPT FOR MAJOR SUBDIVISIONS, BUSINESS AND
25 INDUSTRIAL SUBDIVISIONS, AND NON-RESIDENTIAL AND MULTI-FAMILY
26 HOUSING USES, approval of the preliminary plan [and/or] OR site

1 plan shall be set forth in a letter from the Department [of
2 Planning and Zoning]. This letter may include such conditions as
3 are necessary to meet the standards of the Zoning code and
4 Subdivision Regulations, and must be countersigned by the
5 [developer] APPLICANT and returned to the Department [of Planning
6 and Zoning] within forty-five (45) days.

7 [c.] b. If a Forest Conservation Plan is required by Chapter
8 267, Article VA of the Harford County Code, the preliminary plan
9 shall not be approved until the Forest Conservation Plan has been
10 approved by the Department of Planning and Zoning.

11 [d.] c. Tenure of Preliminary Plans.

12 (1) A preliminary plan approved before [the effective
13 date of Council Bill 93-26] AUGUST 10, 1993 is valid for 1 year.
14 The Department [of Planning and Zoning] may grant up to 5 1-year
15 extensions of the plan, without a new review and approval of the
16 plan, provided that:

17 (a) A written request for an extension is filed
18 with the Department [of Planning and Zoning] at least 60 days
19 before the date on which the plan's previous approval will expire;
20 and

21 (b) The development proposed by the plan meets the
22 adequate public facilities requirements established by § 267-104
23 of the Harford County Code.

24 (2) Extension of a plan's approval under paragraph (1)
25 of this subsection shall not be granted if the development proposed
26 by the plan does not meet the adequate public facilities

1 requirements of § 267-104 of the Harford County Code. If extension
2 of the plan cannot be approved due to inadequacy of public
3 facilities, the plan shall be placed on the waiting list
4 established under § 267-104 of the Harford County Code and
5 processed in accordance with § 267-104. Placement of a plan on the
6 waiting list does not deprive the plan of any of the 1-year
7 extensions available for the plan and does not require a new review
8 and approval of the plan.

9 (3) Recordation of lots on any portion of the area
10 covered by a preliminary plan approved before [the effective date
11 of Council Bill 93-26] AUGUST 10, 1993 automatically extends the
12 plan's approval and continues [to] THE validity of the plan for the
13 unrecorded portion for an additional year. Extension of a plan's
14 approval by this method counts as 1 of the 5 extensions allowed
15 under paragraph (1) of this subsection.

16 (4) A preliminary plan approved on or after [the
17 effective date of Council Bill 93-26] AUGUST 10, 1993 is valid for
18 2 years. The Department [of Planning and Zoning] may grant an
19 extension of the plan in accordance with subsection e of this
20 section. After two years from the date of the original approval,
21 remaining unrecorded lots on any portion of the area covered by the
22 preliminary plan shall be deemed null and void, and shall meet the
23 adequate public facilities requirements established in the zoning
24 code prior to again obtaining preliminary plan approval.

25 [e]. d. Extension. Upon a written request and careful
26 review, a one-time, two-year extension of the preliminary approval

1 may be granted by the Zoning Administrator subject to either of the
2 following conditions:

3 1.A. The subdivider has executed an agreement with the
4 County for off-site and/or on-site facilities improvements beyond
5 the required, standard on-site roads and utilities agreements; and

6 1.B. A performance bond for the additional/agreed-to
7 facilities improvements has been posted by the subdivider; or

8 2.A. As a result of the capacity allocated to the
9 subdivision requesting the extension, there is no subdivision/site
10 plan on the waiting list established by the Department [of Planning
11 and Zoning] in accordance with the conditional review provisions
12 of Section 267-104, Adequate Public Facilities, of the Zoning Code;
13 and

14 2.B. Findings of adequate public facilities based on the
15 standards set in Section 267-104, Adequate Public Facilities, of
16 the Zoning Code, have been established. Such written request shall
17 be received by the Zoning Administrator at least sixty days prior
18 to the expiration of the original approval.

19 [f]. e. Tenure of site plans. Site plans shall be valid for
20 two years and shall be deemed null and void at the end of such
21 period unless A building permit application has been filed.

22 [g]. f. Waiver of site plan application. The Director [of
23 Planning] may waive the requirement for site plan approval where
24 there is a change in use or occupancy and no extensive construction
25 or improvements is proposed. The waiver may be granted only upon
26 a determination by the Director [of Planning] that the use will not

1 affect existing drainage, circulation, relationship of buildings
2 to each other, landscaping, buffering, lighting, and other
3 considerations of site plan approval, and the existing facilities
4 do not require upgraded or additional site improvements. The
5 application for a waiver of site plan shall include a discussion
6 of the prior use of the site, the proposed use, and its impact.

7 [h.] g. Phasing. For development exceeding two hundred lots
8 or units, a phasing schedule shall be submitted by the subdivider.
9 Such phasing schedule shall be incorporated in the concept plan
10 approval for projects requiring concept plan approval.

11 5.04 PROCESS FOR INDUSTRIAL OR BUSINESS SUBDIVISIONS WITHIN THE
12 COUNTY'S FAST TRACK PROGRAM.

13 THOSE INDUSTRIAL OR BUSINESS DEVELOPMENTS THAT ARE SELECTED
14 BY THE COUNTY EXECUTIVE FOR THE COUNTY'S FAST TRACK DEVELOPMENT
15 APPROVAL PROCESS SHALL BE EXEMPT FROM THE PROVISIONS OF SECTION
16 5.05 OF THESE REGULATIONS.

17 5.05 APPROVAL PROCEDURE FOR MAJOR SUBDIVISIONS, BUSINESS AND
18 INDUSTRIAL SUBDIVISIONS, AND MULTI-FAMILY HOUSING USES.

19 a. THIS SUBSECTION DOES NOT APPLY TO AN APPLICANT:

20 1. SEEKING APPROVAL FOR DEVELOPMENT OF PROPERTY IN THE
21 AG ZONING DISTRICT;

22 2. SEEKING APPROVAL FOR DEVELOPMENT OF A SMALL BUSINESS
23 THAT WILL EMPLOY LESS THAN 50 INDIVIDUALS; OR

24 3. THAT HAS HELD A PUBLIC MEETING PRIOR TO FILING A
25 PRELIMINARY, CONCEPT, OR SITE PLAN WITH THE DEPARTMENT PROVIDED
26 THAT THE APPLICANT SUBMITS A PLAN TO THE DEPARTMENT THAT INCLUDES:

1 i. A RECORD OF THE COMMENTS MADE AT THE PUBLIC
2 MEETING; AND

3 ii. A COPY OF THE NEWSPAPER ADVERTISEMENT NOTIFYING
4 THE PUBLIC OF THE MEETING OR A COPY OF THE LETTER SENT TO ALL
5 ADJOINING PROPERTY OWNERS NOTIFYING THEM OF THE MEETING AND A LIST
6 OF THE NAMES OF THE PROPERTY OWNERS WHO WERE SENT LETTERS.

7 b. AN APPLICANT SEEKING APPROVAL FOR DEVELOPMENT OF A MAJOR
8 SUBDIVISION, A BUSINESS SUBDIVISION, AN INDUSTRIAL SUBDIVISION, OR
9 A MULTI-FAMILY HOUSING USE SHALL COMPLY WITH THIS SECTION.

10 c. THE APPLICANT SHALL FILE A PRELIMINARY, CONCEPT, OR SITE
11 PLAN WITH THE DEPARTMENT.

12 d. WITHIN 15 DAYS OF RECEIVING A PLAN, THE DEPARTMENT SHALL
13 SCHEDULE THE DATE, TIME, AND PLACE OF THE COMMUNITY INPUT MEETING
14 AND PROVIDE TO THE APPLICANT THE NAMES AND ADDRESSES OF ALL PARTIES
15 TO BE NOTIFIED OF THE COMMUNITY INPUT MEETING AND ITS DATE, TIME,
16 AND PLACE.

17 e. INFORMATIONAL CONFERENCE. PRIOR TO SUBMITTING A PLAN,
18 AN APPLICANT MAY MAKE A REQUEST WITH THE DIRECTOR TO MEET WITH
19 COUNTY AGENCIES TO OBTAIN INFORMATION ABOUT COUNTY LAWS AND
20 REGULATIONS THAT MAY BE APPLICABLE TO THE PROPERTY PROPOSED FOR
21 DEVELOPMENT. THE INFORMATION PROVIDED TO THE APPLICANT SHALL
22 INCLUDE THE FOLLOWING:

- 23 1. ZONING LAWS AND REGULATIONS;
24 2. SUBDIVISION REGULATIONS;
25 3. DESIGN POLICIES AND GUIDELINES;

1 4. ANY POTENTIAL CONFLICT BETWEEN THE MASTER PLAN AND THE
2 PROPOSED DEVELOPMENT;

3 5. ADEQUATE PUBLIC FACILITIES;

4 6. PROXIMITY OF SEWER, WATER AND STORMWATER MANAGEMENT
5 SYSTEMS;

6 7. MAJOR ROAD PLAN;

7 8. ENVIRONMENTAL CONSTRAINTS, INCLUDING AREAS SUBJECT TO
8 TIDAL AND RIVERINE FLOODING, TIDAL AND NON-TIDAL WETLANDS, COUNTY-
9 DESIGNATED CRITICAL AREAS, STEEP SLOPES, AGRICULTURAL PRESERVATION
10 AREAS, WATER COURSES, AND RARE AND SIGNIFICANT PLANT AND WILDLIFE
11 HABITATS;

12 9. RECREATION AND OPEN SPACE REQUIREMENTS;

13 10. HISTORICAL AND ARCHEOLOGICAL SITES;

14 11. STATE OR FEDERAL PERMITS THAT MAY BE APPLICABLE;

15 12. WATER AND SEWERAGE MASTER PLAN DESIGNATION; AND

16 13. ANY OTHER INFORMATION THAT THE COUNTY MAY DEEM
17 APPROPRIATE AND NECESSARY FOR DEVELOPMENT OF THE PROPERTY.

18 f. PRIOR TO THE COMMUNITY INPUT MEETING AND THE FILING OF
19 A REVISED PRELIMINARY PLAN, AN APPLICANT SHALL FILE COPIES OF THE
20 CONCEPT PLAN, SITE PLAN OR PRELIMINARY PLAN WITH THE DEPARTMENT.

21 THE DEPARTMENT SHALL DISTRIBUTE THE PLAN TO THE APPROPRIATE COUNTY
22 AND STATE AGENCIES FOR REVIEW AND COMMENT.

23 g. CONCEPT OR PRELIMINARY PLAN CONFERENCE. FOLLOWING THE
24 FILING OF THE CONCEPT, SITE OR PRELIMINARY PLAN, AN APPLICANT MAY
25 MAKE A REQUEST WITH THE DIRECTOR TO MEET WITH THE APPROPRIATE

1 COUNTY AGENCIES IN ORDER TO RECEIVE COMMENTS FROM THE AGENCIES ON
2 THE PLAN.

3 h. COMMUNITY INPUT MEETING. AT THE TIME THE DEPARTMENT
4 PROVIDES THE APPLICANT WITH THE NAMES AND ADDRESSES OF ALL THE
5 PARTIES TO BE NOTIFIED OF THE COMMUNITY INPUT MEETING, THE DIRECTOR
6 SHALL ENSURE THAT THE PROPERTY PROPOSED FOR DEVELOPMENT IS POSTED
7 WITH A NOTICE STATING THE DATE, TIME, AND LOCATION OF THE COMMUNITY
8 INPUT MEETING. THE NOTICE SHALL BE ON A SIGN MEASURING AT LEAST
9 4 FEET BY 4 FEET WITH RED LETTERING ON A WHITE BACKGROUND. THE
10 NOTICE SHALL BE CONSPICUOUSLY PLACED ON THE PROPERTY. THE
11 DEPARTMENT MAY ASSESS A FEE TO THE APPLICANT FOR THE COST OF THE
12 SIGN AND ITS POSTING. FOLLOWING THE POSTING, THE APPLICANT SHALL
13 MAINTAIN THE NOTICE IN A CONDITION VISIBLE TO THE PUBLIC UNTIL THE
14 DATE OF THE HEARING. THE COMMUNITY INPUT MEETING SHALL OCCUR NO
15 SOONER THAN 21 DAYS AND NO LATER THAN 30 DAYS AFTER THE PROPERTY
16 IS POSTED. IF AN APPROPRIATE LOCATION IS AVAILABLE, THE COMMUNITY
17 INPUT MEETING SHALL BE HELD NEAR THE PROPOSED DEVELOPMENT.

18 i. WITHIN 10 DAYS OF RECEIVING THE NAMES OF THE PARTIES TO
19 BE NOTIFIED, THE APPLICANT SHALL SEND A NOTICE BY CERTIFIED MAIL
20 TO ALL THE PARTIES. THE NOTICE SHALL SPECIFY THE DATE, TIME, AND
21 LOCATION OF THE COMMUNITY INPUT MEETING AND INCLUDE A COPY OF THE
22 PRELIMINARY, CONCEPT, OR SITE PLAN.

23 j. AT THE TIME THE PROPERTY IS POSTED WITH THE NOTICE
24 REGARDING THE COMMUNITY INPUT MEETING, THE PRELIMINARY, CONCEPT OR
25 SITE PLAN SHALL BE AVAILABLE AT THE DEPARTMENT FOR INSPECTION BY
26 THE PUBLIC. A COPY OF THE PLAN MAY BE OBTAINED FROM THE

1 DEPARTMENT. THE DEPARTMENT MAY CHARGE A REASONABLE FEE FOR
2 REPRODUCTION OF THE PLAN.

3 k. A PARTY TO THE COMMUNITY INPUT MEETING MAY REQUEST THAT
4 A REPRESENTATIVE FROM A COUNTY AGENCY THAT HAS REVIEWED THE PLAN
5 ATTEND THE COMMUNITY INPUT MEETING. THE REQUEST SHALL BE MADE IN
6 WRITING TO THE DIRECTOR AT LEAST 5 DAYS PRIOR TO THE COMMUNITY
7 INPUT MEETING AND SHALL DESCRIBE THE ISSUE THE REPRESENTATIVE IS
8 TO ADDRESS.

9 l. THE DIRECTOR MAY ALSO REQUEST THAT A REPRESENTATIVE OF
10 A COUNTY AGENCY ATTEND THE COMMUNITY INPUT MEETING TO RESPOND TO
11 COMMENTS MADE OR CONDITIONS PROPOSED BY A PARTY AT THE MEETING.

12 m. THE COMMUNITY INPUT MEETING SHALL BE CONDUCTED BY A
13 REPRESENTATIVE OF THE DEPARTMENT. AT THE COMMUNITY INPUT MEETING
14 THE APPLICANT SHALL PRESENT THE CONCEPT, SITE, OR PRELIMINARY PLAN
15 FOR COMMENT AND DISCUSSION BY ANY PARTY.

16 n. AT THE COMMUNITY INPUT MEETING, A PARTY MAY MAKE ANY
17 COMMENT RELEVANT TO THE CONCEPT, SITE, OR PRELIMINARY PLAN OR
18 PROPOSE ANY CONDITION TO BE IMPOSED ON THE DEVELOPMENT OF THE
19 PROPERTY. IF A COMMENT MADE OR CONDITION PROPOSED BY A PARTY IS
20 NOT RESOLVED AT THE COMMUNITY INPUT MEETING, THE DIRECTOR MAY
21 REQUIRE THAT AN ADDITIONAL COMMUNITY INPUT MEETING BE HELD AND MAY
22 REQUEST THAT A REPRESENTATIVE OF A COUNTY AGENCY ATTEND THE MEETING
23 IN ORDER TO ADDRESS THE COMMENT OR CONDITION THAT IS UNRESOLVED.

24 o. ALL COMMENTS MADE OR CONDITIONS PROPOSED BY A PARTY SHALL
25 BE RECORDED BY THE REPRESENTATIVE OF THE DEPARTMENT. THE RECORD
26 OF COMMENTS AND CONDITIONS SHALL BE ATTACHED TO THE CONCEPT, SITE,

1 OR PRELIMINARY PLAN AND SUBMITTED TO THE DEVELOPMENT ADVISORY
2 COMMITTEE.

3 p. ANY COMMENT OR CONDITION THAT IS NOT RESOLVED AFTER THE
4 FINAL COMMUNITY INPUT MEETING SHALL BE ADDRESSED IN WRITING BY THE
5 APPROPRIATE COUNTY AGENCY AND THE AGENCY'S RECOMMENDATION SHALL BE
6 SUBMITTED TO THE DEVELOPMENT ADVISORY COMMITTEE.

7 q. NO REVISED PRELIMINARY PLAN MAY BE FILED FOR REVIEW
8 WITHOUT THE APPLICANT HAVING PARTICIPATED IN A COMMUNITY INPUT
9 MEETING.

10 r. IF ALL COMMENTS AND CONDITIONS PROPOSED AT THE COMMUNITY
11 INPUT MEETING ARE RESOLVED BY THE CONCLUSION OF THE FINAL COMMUNITY
12 INPUT MEETING, THE DEPARTMENT SHALL FORWARD THE PRELIMINARY PLAN
13 TO THE DEVELOPMENT ADVISORY COMMITTEE FOR REVIEW IN ACCORDANCE WITH
14 SUBSECTION 5.08 OF THIS SECTION.

15 5.06. REVISED PRELIMINARY PLAN REVIEW.

16 a. WITHIN 12 MONTHS AFTER THE FINAL COMMUNITY INPUT MEETING,
17 THE APPLICANT MAY SUBMIT TO THE DEPARTMENT A REVISED PRELIMINARY
18 PLAN FOR REVIEW. THE APPLICANT SHALL SEND A COPY OF THE REVISED
19 PRELIMINARY PLAN TO ALL PARTIES. IF THE APPLICANT FAILS TO SUBMIT
20 A REVISED PRELIMINARY PLAN WITHIN 12 MONTHS, THE APPLICANT SHALL
21 BE REQUIRED TO ATTEND ANOTHER COMMUNITY INPUT MEETING ON THE
22 ORIGINAL CONCEPT, SITE, OR PRELIMINARY PLAN.

23 b. THE REVISED PRELIMINARY PLAN SHALL CLEARLY IDENTIFY ANY
24 COMMENT MADE OR CONDITION PROPOSED TO THE CONCEPT, SITE, OR
25 PRELIMINARY PLAN BY A PARTY AT THE COMMUNITY INPUT MEETING THAT IS
26 UNRESOLVED AT THE TIME OF FILING THE REVISED PRELIMINARY PLAN.

1 c. WITHIN 15 DAYS OF THE RECEIPT OF THE REVISED PRELIMINARY
2 PLAN, THE DEPARTMENT SHALL ENSURE THAT THE PLAN IS IN GENERAL
3 CONFORMANCE TO THE CONCEPT, SITE, OR PRELIMINARY PLAN PRESENTED AT
4 THE COMMUNITY INPUT MEETING AND IN CONFORMANCE WITH SECTION 5.02
5 OF THESE REGULATIONS. IF THE PLAN IS IN COMPLIANCE THE DEPARTMENT
6 SHALL NOTIFY THE APPLICANT THAT THE PLAN IS IN CONFORMANCE AND
7 FORWARD COPIES OF THE PLAN TO THE APPROPRIATE COUNTY AGENCIES FOR
8 REVIEW.

9 d. IF A REVISED PRELIMINARY PLAN IS INCONSISTENT WITH THE
10 CONCEPT, SITE, OR PRELIMINARY PLAN PRESENTED AT THE COMMUNITY INPUT
11 MEETING AND THE REVISIONS ARE NOT RELATED TO COMMENTS MADE OR
12 CONDITIONS PROPOSED BY A PARTY AT THE MEETING, COMMENTS RECEIVED
13 FROM COUNTY AGENCIES OR MINOR CHANGES PROPOSED BY THE APPLICANT AND
14 APPROVED BY THE DEPARTMENT, THE PLAN SHALL NOT BE ACCEPTED BY THE
15 DEPARTMENT UNTIL A COMMUNITY INPUT MEETING HAS BEEN HELD ON THE
16 REVISED PLAN.

17 5.07. PLANNING ADVISORY BOARD REVIEW.

18 a. FOR LARGE INDUSTRIAL OR BUSINESS SUBDIVISIONS EMPLOYING
19 50 INDIVIDUALS OR MORE AND FOR RESIDENTIAL SUBDIVISIONS OF 200
20 UNITS OR MORE, THE DEPARTMENT SHALL FORWARD COPIES OF A REVISED
21 PRELIMINARY PLAN AND THE RECORD OF ALL COMMENTS MADE AND CONDITIONS
22 PROPOSED AT THE COMMUNITY INPUT MEETING TO MEMBERS OF THE PLANNING
23 ADVISORY BOARD UNLESS:

24 1. ALL COMMENTS OR CONDITIONS PROPOSED AT THE COMMUNITY
25 INPUT MEETING HAVE BEEN RESOLVED; AND

1 2. THE PROPOSED DEVELOPMENT IS AN INDUSTRIAL OR
2 BUSINESS SUBDIVISION THAT DOES NOT ADJOIN ANY RESIDENTIAL
3 SUBDIVISION.

4 b. THE PLANNING ADVISORY BOARD SHALL REVIEW THE REVISED
5 PRELIMINARY PLAN AND THE RECORD MADE AT THE COMMUNITY INPUT MEETING
6 AND MAKE RECOMMENDATIONS AND COMMENTS TO THE DEPARTMENT REGARDING
7 THE REVISED PRELIMINARY PLAN.

8 c. ALL RECOMMENDATIONS AND COMMENTS SHALL BE SUBMITTED TO
9 THE DEPARTMENT AT LEAST 10 DAYS PRIOR TO THE DEVELOPMENT ADVISORY
10 COMMITTEE MEETING.

11 5.08. DEVELOPMENT ADVISORY COMMITTEE REVIEW.

12 a. ALL REVISED PRELIMINARY PLANS, PRELIMINARY PLANS FOR
13 INDUSTRIAL OR BUSINESS SUBDIVISIONS, AND SITE PLANS FOR NON-
14 RESIDENTIAL AND MULTI-FAMILY HOUSING USES SHALL BE REVIEWED BY THE
15 DEVELOPMENT ADVISORY COMMITTEE. MEMBERSHIP OF THE COMMITTEE SHALL
16 INCLUDE BUT NOT BE LIMITED TO:

- 17 1. DEPARTMENT OF PLANNING AND ZONING;
- 18 2. DEPARTMENT OF PUBLIC WORKS;
- 19 3. HEALTH DEPARTMENT;
- 20 4. DEPARTMENT OF PARKS AND RECREATION;
- 21 5. SOIL CONSERVATION DISTRICT;
- 22 6. MARYLAND FOREST, PARK AND WILDLIFE SERVICE;
- 23 7. BOARD OF EDUCATION;
- 24 8. STATE HIGHWAY ADMINISTRATION;
- 25 9. VOLUNTEER FIRE AND AMBULANCE CHIEFS ASSOCIATION;
- 26 10. PUBLIC UTILITY COMPANIES;

11. ENVIRONMENTAL LAND PRESERVATION COMMISSION;
12. SHERIFF'S OFFICE;
13. A REPRESENTATIVE OF THE CHAMBER OF COMMERCE; AND
14. A CITIZEN APPOINTED BY THE COUNTY COUNCIL.

b. THE DIRECTOR SHALL SCHEDULE A REVISED PRELIMINARY PLAN CONFERENCE NO SOONER THAN 30 DAYS AND NO LATER THAN 45 DAYS AFTER THE DEPARTMENT HAS NOTIFIED THE APPLICANT THAT THE REVISED PRELIMINARY PLAN IS IN CONFORMANCE AS REQUIRED UNDER SECTION 5.06C OF THESE REGULATIONS. REPRESENTATIVES OF ALL THE AGENCIES LISTED IN SUBSECTION a OF THIS SECTION SHALL ATTEND THE CONFERENCE. AT THE TIME OF SCHEDULING THE CONFERENCE THE DIRECTOR SHALL ENSURE THAT ALL THE AGENCIES AND PARTIES RECEIVE COPIES OF THE REVISED PRELIMINARY PLAN. THE CONFERENCE IS OPEN TO THE PUBLIC AND WRITTEN NOTICE OF THE CONFERENCE SHALL BE SENT TO ALL PARTIES.

c. AT LEAST 10 DAYS PRIOR TO THE REVISED PRELIMINARY PLAN CONFERENCE, THE DIRECTOR SHALL ENSURE THAT THE PROPERTY PROPOSED FOR DEVELOPMENT IS POSTED WITH A NOTICE STATING THE DATE, TIME AND PLACE OF THE REVISED PRELIMINARY PLAN CONFERENCE. THE NOTICE SHALL BE POSTED ON THE SAME SIGN POSTED FOR THE COMMUNITY INPUT MEETING. IF NO COMMUNITY INPUT MEETING IS REQUIRED FOR DEVELOPMENT APPROVAL FOR A PROPERTY, THE NOTICE OF THE CONFERENCE SHALL BE POSTED ON A SIGN THE SAME SIZE AND COLOR AS REQUIRED FOR THE SIGN GIVING NOTICE OF A COMMUNITY INPUT MEETING.

d. AGENCY COMMENTS REGARDING THE PLAN SHALL BE SUBMITTED IN WRITING TO THE DEPARTMENT AT LEAST 7 DAYS PRIOR TO THE SCHEDULED

1 CONFERENCE. THE DEPARTMENT SHALL FORWARD THESE COMMENTS TO ALL
2 PARTIES.

3 e. THE CONFERENCE SHALL COVER THE FOLLOWING MATTERS:

4 1. ANY COMMENTS ABOUT THE PLAN SUBMITTED TO THE
5 DEPARTMENT BY ANY AGENCY;

6 2. ANY UNRESOLVED COMMENT MADE OR CONDITION PROPOSED
7 AT THE COMMUNITY INPUT MEETING; AND

8 3. RECOMMENDATIONS BY THE DEPARTMENT FOR ALTERNATE
9 DESIGN STANDARDS THAT ALLOW THE PROPOSED DEVELOPMENT TO BE MORE
10 COMPATIBLE WITH THE COMMUNITIES SURROUNDING THE PROPERTY.

11 f. THE DIRECTOR SHALL GRANT APPROVAL OF A REVISED
12 PRELIMINARY PLAN THAT COMPLIES WITH THESE SUBDIVISION REGULATIONS
13 AND THE ZONING CODE. APPROVAL OF THE PLAN SHALL BE STATED IN A
14 LETTER FROM THE DEPARTMENT. THE LETTER OF APPROVAL MUST BE SENT
15 WITHIN 14 DAYS AFTER THE REVISED PRELIMINARY PLAN CONFERENCE. IF
16 NO DECISION IS RENDERED WITHIN THE 14-DAY PERIOD, THE REVISED
17 PRELIMINARY PLAN SHALL BE DEEMED APPROVED AS SUBMITTED BY THE
18 APPLICANT.

19 Section 2. And Be It Further Enacted, That Section 9-115, Powers
20 and duties, of Article XIX, Planning Advisory Board, of Part 3,
21 Authoritative Boards and Commissions, of Chapter 9, Boards,
22 Commissions, Councils and Agencies, all of the Harford County Code,
23 as amended, be, and it is hereby, repealed and reenacted with
24 amendments, to read as follows:

25 Chapter 9. Boards, Commissions, Councils and Agencies.

26 Part 3. Authoritative Boards and Commissions.

1 Article XIX. Planning Advisory Board.

2 Section 9-115. Powers and duties.

3 A. The Planning Advisory Board shall make recommendations to
4 the Director of Planning and the Council relating to Master Plans,
5 Zoning Maps and rules and regulations relating to planning and
6 zoning. THE PLANNING ADVISORY BOARD SHALL MAKE RECOMMENDATIONS TO
7 THE DIRECTOR OF PLANNING RELATING TO PLANS FOR DEVELOPMENT OF
8 RESIDENTIAL AND BUSINESS AND INDUSTRIAL SUBDIVISIONS AS REQUIRED
9 UNDER THE SUBDIVISION REGULATIONS FOR HARFORD COUNTY, MARYLAND.

10 At such times as the County Executive shall fix, the Planning
11 Advisory Board shall consider an itemized list of all capital
12 projects and the capital improvement programs which all agencies
13 of the county government propose to undertake in the ensuing fiscal
14 year and the next succeeding [five (5)] 5 fiscal years thereafter.
15 After consideration by the Planning Advisory Board, the Director
16 of Planning shall transmit to the County Executive, together with
17 his recommendations, a list of projects recommended by such Board
18 to be undertaken in the periods aforesaid and its estimate of the
19 cost thereof. At least once every [eight (8)] 8 years, the Board
20 shall prepare general guidelines for use by the Department of
21 Planning and Zoning in the preparation or revision of Master Plans.

1 B. The County Executive or the Council may provide for
2 reference to the Board, for review and recommendations, any
3 additional matters related to the Board's functions and duties.

4 Section 3. And Be It Further Enacted, That This Act shall take
5 effect 60 calendar days from the date it becomes law.

6 EFFECTIVE:

7 The Secretary of the Council does hereby
8 certify that fifteen (15) copies of this bill
9 are immediately available for distribution to
10 the public and the press.
11

12 James D. Vannoy
13 _____
14 Acting Secretary
15
16

HARFORD COUNTY BILL NO. 93-75(Brief Title) Community Input

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

Acting Secretary
of the CouncilPresident of the Council

Date _____

Date _____

BY THE COUNCIL

Read the third time.

Passed: LSD

Failed of Passage: _____

By Order

Acting Secretary

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 199__ at _____ m.

Acting Secretary

BY THE EXECUTIVE

COUNTY EXECUTIVE

APPROVED: Date _____

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on December 27, 1993.

James D. Vannoy
Acting Secretary *hjt*